

Docket No. KOT-0093

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REMARKS

Claims 1-56 were pending in the present Application. Claims 18 and 21 have been canceled, claim 1 has been amended, claims 57-58 have been added, and claims 14-17, 19, 20, 22-26, 28, 30-34 and 48-51 withdrawn, leaving Claims 1-13, 18, 21, 27, 29, 35-47, and 52-58 for consideration upon entry of the present Amendment.

Claim 1 has been amended to include the features of original Claims 18 and 21. As such, no new matter has been introduced by these amendments. Antecedent basis for newly added Claim 57 can be found at least on page 62, lines 17-19 and page 51, lines 14 to page 55, line 11. Antecedent basis for newly added Claim 58 can be found on page 62, lines 17-9, and on page 51, line 14 to page 55, line 11.

Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

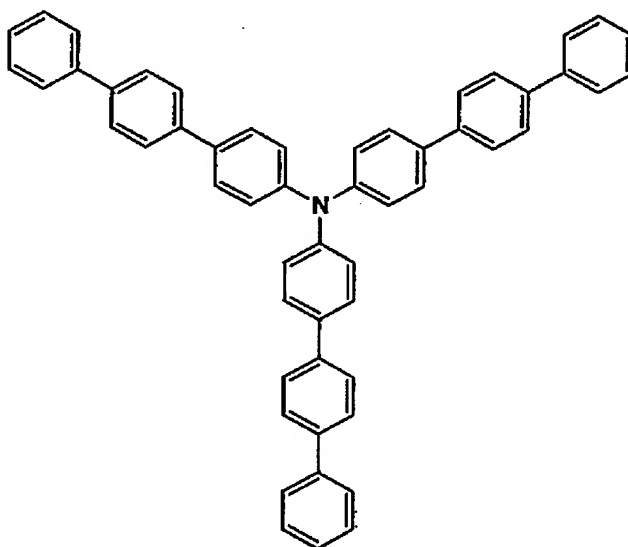
Claim Rejections Under 35 U.S.C. § 103(a)

A. Claims 1-13, 18, 21, 27, 29, 35-47 and 52-55 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Mishima (U.S. Patent 200/0053462 A1) in view of Thomas et al. (U.S. Patent Application Publication No. 2003/0205696 A1 and Shirota et al. (JP 2001-316338). Applicants respectfully traverse this rejection.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing a *prima facie* case of obviousness, i.e., that all elements of the invention are disclosed in the prior art. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

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In making the rejection, the Office Action comments that the aromatic tertiary amines disclosed and suggested in Shirota's paragraph [0043] provide a basis for rendering our elected species obvious. Applicants disagree. Shirota's compound is reproduced below.



(see Shirota, paragraph [0043])

In Shirota's aromatic tertiary amine compound shown above, the substituents corresponding to R_{801} , R_{802} , R_{803} , R_{804} , R_{805} , and R_{806} of Formula 4-1 are simultaneously hydrogens whereas the groups corresponding to R_{807} through R_{810} , R_{811} through R_{814} and R_{815} through R_{818} of Formula 4-2 are also simultaneously hydrogens. In contrast, we claim that that at least one of R_{801} and R_{802} is a substituent, at least one of R_{803} and R_{804} is a substituent, at least of R_{805} and R_{806} is a substituent, at least one of R_{807} through R_{810} is a substituent, at least one of R_{811} through R_{814} is a substituent and at least one of R_{815} through R_{818} is a substituent. Because we claim a substituent at the ortho and meta various positions, Applicants' claimed tertiary amine compounds are markedly different from Shirota's tertiary amine compound since Shirota teaches and suggests hydrogen atoms in these positions, i.e., these positions are not substituted.

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In view of the foregoing, the cited references fail to teach or suggest each and every feature of Applicants' claims. For reasons discussed above, Shirota fails to teach or suggest the claimed tertiary amine compounds as defined by formulas 4-1 and 4-2. The other references fail to compensate for this deficiency. Accordingly the rejection is requested to be withdrawn.

B. Claim 56 stands rejected under 35 USC 103(a) as being unpatentable over Mishima, in view of Thoms and Shirota and further in view of U.S. Patent No. 6,608,748 Og et al. ("Ogo"). Applicants respectfully traverse.

The comments made above are applicable here. The cited references, individually or in combination, fail to teach or suggest a display comprising an organic electroluminescent element that includes a triarylamine compound defined by Formulas 4-1 or 4-2. Accordingly, the rejection is requested to be withdrawn.

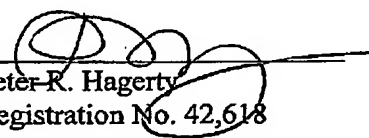
It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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